IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert K. Evans et al. Conf. No.: 8652

Serial No.: 10/578,955 Art Unit: 1648

Filed: May 10, 2006 Examiner: Chen, Stacy Brown

For PRESERVATIVE-CONTAINING Case No.: 21575P

VIRUS FORMULATIONS

Mail Stop Amendment Commissioner for Patents

P.O. Box 1450 Alexandria VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Notice of Non-compliant Amendment mailed April 28, 2009. Applicants respectfully request entry of the corrected Amendment to the Claims.

The corrected Amendment to the Claims now correctly lists claim 20. Pursuant to 37 C.F.R. 1.121, only the corrected section of the non-compliant amendment is being submitted.

No fee is believed to be due. However, the Commissioner is authorized to charge Deposit Account 13-2755 for any deficiencies and/or any other required fees.

Amendments to the Claims (corrected) are reflected in the listing of claims which begins on page 2 of this paper.

Respectfully submitted,

/Henry P. Wu, Reg. No. 44,412/ Date: May 27, 2009 Bv:

> Henry P. Wu Reg. No. 44,412 Attorney for Applicants Merck & Co., Inc. P.O. Box 2000 Rahway, NJ 07065-0907

(732) 594-5312